

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 253, between lines 31 and 32, begin a new paragraph and
- 2 insert
- 3 "SECTION 1. P.L.234-2007, SECTION 300, IS AMENDED TO
- 4 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION
- 5 300. (a) The definitions in IC 6-1.1-1, IC 6-1.1-20.9, and IC 6-1.1-21
- 6 apply throughout this SECTION.
- 7 (b) Subject to appropriation of money from the property tax
- 8 reduction trust fund for an additional 2007 homestead credit, the
- 9 department of local government finance shall calculate and certify to
- 10 the department of state revenue and the county auditor of each county
- 11 an additional homestead credit amount for property taxes first due and
- 12 payable in 2007. The additional homestead credit shall be paid as a
- 13 refund as provided in this SECTION for part of the tax liability (as
- 14 defined in IC 6-1.1-21-5) imposed on the taxpayer's homestead for the
- 15 March 1, 2006, or January 15, 2007, assessment date. The department
- 16 of local government finance shall make the certification based on the
- 17 best information available at the time the certification is made. Not
- 18 later than November 1, 2007, the department of state revenue shall
- 19 distribute to the county treasurer of each county the amount certified
- 20 for the county under this subsection. The county treasurer shall deposit
- 21 the amount distributed in a separate account and use the money only
- 22 for the purposes of providing property tax refunds under this
- 23 SECTION. **The county treasurer shall mail the refunds under**
- 24 **subsection (e) not more than sixty (60) days after the date that the**

county treasurer receives a distribution under this section.

(c) At the same time as the department of local government finance makes the certification under subsection (b), the department of local government finance shall certify to the county auditor of each county the percentage that would apply in each taxing district to provide an additional 2007 homestead credit to taxpayers in the taxing district. The county auditor shall use the certified percentage to determine the amount of the refund due to each taxpayer. The county auditor shall certify the amount of the refund for each taxpayer to the county treasurer not later than the December 20, 2007, settlement date. IC 6-1.1-26 does not apply to a refund granted under this SECTION. The amount of the refund is equal to the lesser of the following:

(1) The amount of the taxpayer's tax liability (as defined in IC 6-1.1-21-5) on a homestead for the March 1, 2006, or January 15, 2007, assessment date, after the application of all other credits.

(2) The additional 2007 homestead credit determined for the taxpayer.

The department of local government finance, the department of state revenue, and the property tax replacement fund board shall take the actions necessary to carry out this SECTION.

(d) The amount of the refund shall be applied first against any delinquent property taxes owed in the county by the taxpayer. The county auditor shall issue a warrant for or authorize disbursement by electronic transfer of the remainder of the refund. The refund shall be:

(1) mailed to the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book; or
(2) transmitted by written, electronic, or other means to a mortgagee maintaining an escrow account for a person who is liable for any property taxes or special assessments, as shown on the tax duplicate or special assessment records.

(e) In addition, the county auditor shall mail to the last known address of each person liable for any property taxes or special assessment on each homestead in the county, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book a written explanation of the refund. The explanation must include the amount of the refund specified in the following statement in at least 12 point type:

"A portion of your local property taxes due in 2007 are being refunded due to tax relief provided by the Indiana General Assembly. Your refund is in the amount of \$_____ (insert amount of refund). If you did not receive a check because you pay your property taxes through an escrow account along with your mortgage, your lender will receive the refund and should adjust

- 1 your payments accordingly."
- 2 (f) Any part of the amount distributed to a county under this
- 3 SECTION that is not applied or refunded as provided in this SECTION
- 4 shall:
- 5 **(1) be transferred to the auditor of state for deposit in the property**
- 6 **tax reduction trust fund; county general fund; and**
- 7 **(2) be used to reduce the amount of property taxes levied by**
- 8 **the county for property taxes first due and payable in 2008.**
- 9 (g) This SECTION expires January 1, 2009."
- 10 Renumber all SECTIONS consecutively.
- (Reference is to HB 1001 as printed January 17, 2008.)

Representative Goodin